

WASHINGTON, DC – Congressman Robert C. "Bobby" Scott (VA-03) issued the following statement in response to the Supreme Court's judgment in the cases *Windsor v. United States* and

Hollingsworth v. Perry

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"The *Windsor v. United States* and *Hollingsworth v. Perry* decisions represent a victory for equality. Today's ruling in the *Windsor* case

invalidates Sec. 3 of the Defense of Marriage Act, which I have opposed since it was passed in to law in 1996. The Court decided that discrimination against gay and lesbian married couples cannot be upheld under the Equal Protection Clause, which prohibits discrimination when there is no rational basis for the discrimination. A law that disparages and inflicts harm on a class of citizens cannot constitute a rational basis for discrimination.

Hollingsworth

was decided on a legal technicality, but is consistent with the

Windsor

decision, and so the right to marry will be restored to gay and lesbian couples in California.

"It should be noted that today the Court in *Windsor* did not rule on the constitutionality of Sec. 2 of the Defense of Marriage Act, which allows states and territories not to recognize legal marriages performed in other states. If the Full Faith and Credit Clause of the Constitution requires states to recognize marriages performed in other states, then Sec. 2 of the Defense of Marriage Act is unconstitutional. If the Full Faith and Credit Clause does not require states to recognize marriages from other states, then Sec. 2 is unnecessary. For the reasons articulated in today's decisions, it is my view that when the Court considers the constitutionality of Sec. 2 of the Defense of Marriage Act, it will in fact require Virginia to recognize marriages from other states, even if Virginia law does not provide for same-sex marriages."

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